

Festo Control Private Limited	}	Petitioner
versus		
State of Maharashtra and Ors.	}	Respondents

Mr. J. S. Saluja – AGP for Respondent Nos. 1 and 2.

DATED :- OCTOBER 21, 2015

The present Petition seeks relief of quashing and setting aside a tender notice dated 3rd August, 2011 Annexure 'H' to the Petition. That was because the Petitioner, according to it was wrongfully excluded from the tender process. Clause 30 of the tender form was put in issue. The tender notice was issued for inviting bids for “Automation Technology Centre”.

2) On this Petition, after hearing both sides, the Vacation Bench passed an order in terms of prayer clause (d). That was to operate as an ad-interim order. By that order, the Respondent No. 2

was restrained from proceeding in furtherance of the tender notice. Since that order continued, eventually, the whole process was cancelled. Once the whole process has been cancelled and the tender notice no longer survives and for the subject work, fresh bids have to be invited by another issuance of a tender notice, then, nothing survives in the Writ Petition. It is rendered infructuous and it is disposed of as such.

(B.P.COLABAWALLA, J.)

(S.C.DHARMADHIKARI, J.)